

Synopsis of Original Bill

Senate Conservation Committee Substitute for Senate Bill 241 relates to the extraterritorial powers of municipalities in a Class A county with more than 300,000 persons.

Significant Issues

Senate Conservation Committee Substitute for Senate Bill 241 would prohibit a municipality from annexing territory within the boundary of another municipality or territory within a Class A county with a population of more than 300,000 persons unless approved by the Board of County Commissioners for that county. This bill primarily affects Bernalillo County and the City of Albuquerque, the only Class A county in the state with a population over three hundred thousand persons. The bill also eliminates the City of Albuquerque's planning and platting jurisdiction in the unincorporated area of Bernalillo County.

The bill requires that a petition seeking the annexation of territory contiguous to a municipality located in a Class A county with a population of less than three hundred thousand persons be presented to the city council and be accompanied by a map that shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the municipality. Current law requires this procedure for municipalities with populations of over two hundred thousand persons.

This bill changes the composition of the extraterritorial land use authority to consist of four county commissioners appointed by the board of county commissioners and three city councilors or two city councilors and the mayor of the municipality. Alternates to the extraterritorial land use authority are to be appointed by the board of county commissioners from among the remaining county commissioners and by the municipality from the remaining city councilors. If an appointed member is unable to attend a meeting, the bill requires that an alternate be notified prior to the meeting and that the alternate attending a meeting on behalf of the member have the same duties, privileges and powers as appointed members.

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